

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chikara MURAKATA et al. **Confirmation No. 8988**
Application No. : 10/553,222 Group Art Unit: 1626
I.A. Filed : April 16, 2004 Examiner: Robert H. HAVLIN
For : MITOTIC KINESIN INHIBITOR

FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and §§ 1.97-1.98, and supplemental to the Information Disclosure Statements previously filed on November 17, 2008; September 8, 2008; May 10, 2007; April 10, 2007; and September 1, 2006, Applicants hereby direct the Examiner's attention to the following documents, which are cited in the Extended European Search Report for European Application No. EP 06 767 189.1:

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- (1) WO 2004/092147;
 - (2) WO 2005/035512;
 - (3) WO 2004/111024;
 - (4) EP 1 454 903;
 - (5) WO 2006/044825;
 - (6) EP 1 870 404; and
 - (7) EP 1 867 640.

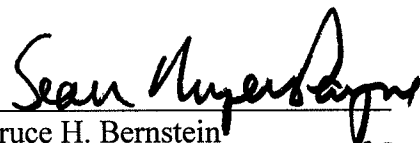
Applicants further direct the Examiner's attention to the attached copy of U.S. Provisional Application No. 60/620,048 to HANS et al., filed October 19, 2004, which application is a patent family member of WO 2006/044825, listed above.

Copies of Documents (1) – (5) were previously provided to the U.S. Patent and Trademark Office with the Information Disclosure Statements filed November 17, 2008; September 8, 2008; May 10, 2007; April 10, 2007; and/or September 1, 2006. Copies of documents (6) – (7), U.S. Provisional Application No. 60/620,048, and the Extended European Search Report for European Application No. EP 06 767 189.1 are enclosed herewith. Applicants also enclose herewith a completed copy of the Form PTO-1449. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the Form PTO-1449 with the next communication.

Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Patent and Trademark Office is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

If there are any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Chikara MURAKATA et al.



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June 26, 2009
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